

THE LAW OFFICES OF

STEVEN L. KESSLER

September 8, 2022

VIA ECF
COURTESY COPY VIA EMAIL TO
VyskocilNYSDChambers@nysd.uscourts.gov

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/20/2022

The Honorable Mary Kay Vyskocil
United States District Court Judge
500 Pearl Street
New York, NY 10007

Re: *United States v. Navarro et al.*
20-CR-00160 (MKV)

Dear Judge Vyskocil:

This office represents Seth Fishman regarding the forfeiture component of his sentence in the referenced matter.

On August 11, 2022, this office sought from the Court an extension of 30 days to enable us to review the Preliminary Order of Forfeiture and related materials and file objections, if necessary. Your Honor granted our request.

Since that time, we have researched the issues and believe there are valid objections to be made. We are in the process of drafting those objections. What has delayed our completion, however, is that, on the very day that the Bureau of Prisons set for my legal call with Dr. Fishman at MDC, Dr. Fishman was moved. He has been in transit ever since, stopping in Philadelphia and Tallahassee (and possibly other venues) before arriving yesterday in Miami. As the Court knows, upon reaching each facility, a prisoner is quarantined and must go through strict COVID protocols before being permitted phone privileges, even with his counsel. Because of this, I have been able to speak to Dr. Fishman just once while he was in transit, and that call was brief. We have made substantial efforts to speak with him since, but, through no fault of mine or the BOP, that has not yet happened. I am hopeful that, now that Dr. Fishman has arrived at his destination, communication will be easier to facilitate. But, this afternoon, I heard from his counselor who, even now, suggested that the possibility of a legal call will depend on Dr. Fishman satisfying the

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various COVID protocols, which could take 14 days.

In light of the above, I respectfully request another extension of 30 days to enable me to complete and file our objections. If I am able to speak with Dr. Fishman and complete the objections sooner, I will file them earlier.

I reached out to the government this morning, but have not yet heard back from them. Given that our extension expires on Monday, however, I am submitting this request now.

Thank you.

Respectfully submitted,

THE LAW OFFICES OF STEVEN L. KESSLER

By:

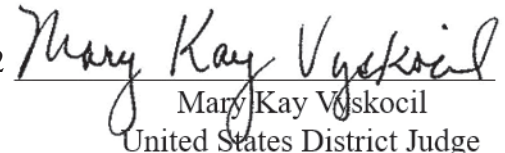


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cc: Counsel of record (*by ECF*)

The submission in question was filed on September 12, 2022 [ECF No. 932]. A such, this request is DENIED as moot.

Date: October 20, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge